

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 97-124-C - ORDER NO. 98-975
DECEMBER 7, 1998

IN RE: Request of BellSouth Telecommunications,)	ORDER DENYING
Inc. for Approval of Revisions to its General)	MOTIONS TO COMPEL
Subscriber Service Tariff and Access Service)	
Tariff to Comply with the FCC's)	
Implementation of the Pay Telephone)	
Reclassification and Compensation and)	
Compensation Provisions of the)	
Telecommunications Act of 1996.)	

This matter comes before the Public Service Commission of South Carolina (the "Commission") on the Motions to Compel filed by the South Carolina Public Communications Association ("SCPCA"). On November 20, 1998, SCPCA filed a Motion to Compel which requested that the Commission compel BellSouth Telecommunications, Inc. ("BellSouth") to respond fully and completely to SCPCA Interrogatories Nos. 2-1 and 2-2 and SCPCA's Data Request 1-3. On November 24, 1998, SCPCA filed a second Motion to Compel which requested that the Commission order BellSouth to respond fully and completely to SCPCA's Data Requests Nos. 1-1, 1-2, 1-4, and 1-5. BellSouth filed a Response to each Motion to Compel.

With regard to the first Motion to Compel, dated November 20, 1998, SCPCA Interrogatories 2-1 and 2-2 and Data Request 1-3 request BellSouth to provide, by geographic rate group, the number of payphone access lines that BellSouth provides to

BellSouth Public Communications, Inc. (“BSPC”) and to non-LEC payphone service providers (“PSPs”). In response to Interrogatories Nos. 2-1 and 2-2, BellSouth stated that it “does not track non-LEC payphone service lines separate from the lines it provides to” BSPC. By its response to SCPCA’s Motion to Compel, BellSouth states that its response was accurate and that the database relied upon in responding to the Interrogatories does not distinguish between payphone customers. Additionally and as requested by the Commission, BellSouth submitted the affidavit of E. Steven Bigelow, Director – Pricing Strategy Group for BellSouth, in which Mr. Bigelow states that the responses to Interrogatories Nos. 2-1 and 2-2 and Data Request No. 1-3 were prepared under his direction and that the responses are accurate and complete based on the data reviewed in formulating BellSouth’s responses. Mr. Bigelow further states that the database relied on in responding to the Interrogatories and Data Request does not distinguish between payphone customers and does not track non-LEC payphone lines separate from the lines provided to BSPC.

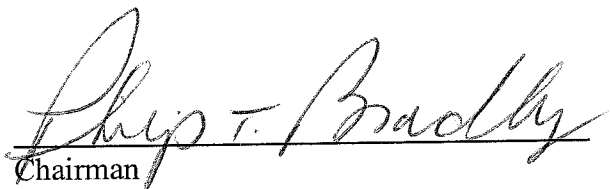
With regard to the second Motion to Compel, dated November 24, 1998, SCPCS seeks an Order from the Commission requiring BellSouth to respond to Data Requests Nos. 1-1, 1-2, 1-4, and 1-5 in a similar manner that GTE South, Inc. responded to the same Data Requests in Docket Nos. 97-077-C and 97-078-C. SCPCA asserts that because GTE South, Inc. provided the information in the manner requested that BellSouth possesses and should provide the specific information sought in Data Requests 1-1, 1-2, 1-4, and 1-5. In response to SCPCA’s Motion to Compel, BellSouth states that its responses are accurate and complete based upon the data and studies available to

BellSouth. BellSouth further states that it does not have the information and studies available to respond to the Data Requests in a manner similar to GTE South, Inc. as requested by the SCPCA. At the request of the Commission, BellSouth filed the affidavit of E. Steven Bigelow, Director – Pricing Strategy Group for BellSouth, in which Mr. Bigelow states that the responses to Interrogatories Nos. 1-1, 1-2, 1-4, and 1-5 were prepared under his direction and that the responses are accurate and complete based on the data reviewed in formulating BellSouth's responses. Mr. Bigelow further states that BellSouth does not possess a study similar to the one provided by GTE South, Inc.

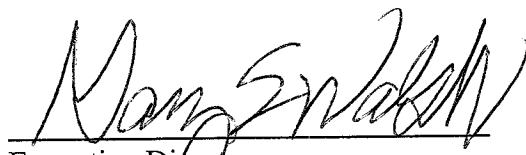
Upon consideration of the SCPCA's Motion to Compel, the Responses to the Motion to Compel filed by BellSouth, and the affidavits of E. Steven Bigelow, the Commission finds and concludes that the data requested by SCPCA is not available. As the information sought is not available, the Commission denies the Motions to Compel, one dated November 20, 1998, and one dated November 24, 1998, filed by SCPCA.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director
(SEAL)